

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORI A. MEIDE,

Defendant.

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8:12CR138

ORDER

This matter is before the court on the motion to continue the trial of this matter scheduled for August 27, 2012 (Filing No. 49). The defendant is presently undergoing a substance abuse evaluation and government's counsel is scheduled for trial in another proceeding. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. The motion to continue trial (Filing No. 49) is granted.
2. Trial of this matter is re-scheduled for **October 1, 2012**, before Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **August 17, 2012, and October 1, 2012**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that government's counsel is unavailable for trial and defendant is undergoing a substance abuse evaluation. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 17th day of August, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge